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Attorneys for Elissa D. Miller,  
Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

**LOS ANGELES DIVISION**

In re

GIRARDI KEESE,

Debtor.

Case No. 2:20-bk-21022-BR

Chapter 7

**DECLARATION OF ELISSA D. MILLER,  
CHAPTER 7 TRUSTEE, IN SUPPORT OF  
STIPULATION AUTHORIZING THE  
RELEASE OF DISPUTED COSTS TO  
CLIENTS**

**[No Hearing Required]**

I, Elissa D. Miller, declare:

1. I am the duly appointed Chapter 7 Trustee in the bankruptcy case of Girardi Keese. I am also a partner at the law firm **SulmeyerKupetz**, a Professional Corporation. I know each of the following facts to be true of my own personal knowledge, except as otherwise stated and, if called as a witness, I could and would competently testify with respect thereto. I make this declaration in support of the *Stipulation Authorizing the Release of Disputed Costs to Clients* (the "Stipulation") . Unless otherwise defined in this declaration, all terms defined in the Stipulation are incorporated herein by this reference.

2. On December 18, 2020, an involuntary chapter 7 bankruptcy petition was filed against Girardi Keese ("Debtor"). As of the filing of the involuntary petition, Debtor

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1 was counsel of record in a significant number of matters which were undertaken on a  
2 contingency basis.

3 3. The petitioning creditors moved for the appointment of an interim trustee  
4 which was granted by the Court by order entered January 5, 2021. I was appointed as  
5 the interim chapter 7 trustee on January 6, 2021. The order for relief was entered  
6 January 13, 2021 and, on the same date, I was reappointed and have been serving in  
7 that capacity since.

8 4. On January 1, 2021, I entered into a stipulation with the Clients entitled  
9 *Stipulation Authorizing Settlement Payment to Clients and Payment of Expenses to the*  
10 *Estate* [Docket No. 116] (the "Distribution Stipulation"), which set forth the allocation of  
11 the installment payments between the Clients and the Debtor. The Distribution  
12 Stipulation was approved by order entered January 26, 2021 [Docket No. 124].

13 5. Pursuant to the Disbursement Stipulation, the Clients and I agreed that I  
14 would reserve and hold in trust \$229,663.00 from the first installment pending resolution  
15 of a dispute between the Clients and the Debtor regarding the reimbursement of certain  
16 costs and advances (the "Disputed Costs"). I am informed that the controversy over the  
17 Disputed Costs involves certain loans that were secured by the Debtor from Signal  
18 Funding to fund the litigation (the "Litigation Loan") and that the Debtor and the Clients  
19 agreed to share the obligation equally, including interest charges.

20 6. I am advised that the Clients have since repaid the Litigation Loan in full,  
21 and the Disputed Costs represent Debtor's share of its obligation on the Litigation Loan  
22 and should be reimbursed to the Clients.

23 I declare under penalty of perjury under the laws of the United States of America  
24 that the foregoing is true and correct to the best of my knowledge.

25 Executed on this 12 day of May, 2021, at Los Angeles, California.

26  
27   
28 ELISSA D. MILLER

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626.

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION OF ELISSA D. MILLER, CHAPTER 7 TRUSTEE, IN SUPPORT OF STIPULATION AUTHORIZING THE RELEASE OF DISPUTED COSTS TO CLIENTS** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) May 12, 2021 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) May 12, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Barry Russell U.S. Bankruptcy Court Roybal Federal Building 255 E. Temple Street, Suite 1660 Los Angeles, CA 90012
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☐ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 12, 2021

*Date*

Gabriela Gomez-Cruz

*Printed Name*

/s/ Gabriela Gomez-Cruz

*Signature*

**ADDITIONAL SERVICE INFORMATION (if needed):**

**1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")**

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